

REMARKS

In the first Office Action, the Examiner objected to the drawings and specification for various informalities. The Examiner rejected claims 1-3 and 8-10 under 35 USC §102(b) as being anticipated by Litke et al. (US 6,092,917). The Examiner rejected claims 4 and 5 under 35 USC §103(a) as being unpatentable over Litke et al. in view of Clayton (US 2,996,608). The Examiner rejected claims 17, 19, and 20. as being unpatentable over Litke et al. in view of Suman et al. (US 5,070,434). The Examiner objected to claims 6, 7, and 18 as being dependent upon a rejected base claim, but indicated they would be allowable if appropriately rewritten. The Examiner allowed claims 11-16.

Applicants have amended claim 17 to incorporate the features of claim allowable claim 18 and canceled claim 18. Claims 1-17 and 19-20 remain pending in the application as reflected in the enclosed Claim Listing.

Reconsideration and re-examination of the application as amended considering the following remarks is respectfully requested.

Objections to Drawings and Specification

The Examiner objected to the drawings and specification for various informalities. Applicant submits herewith a revised Figure 4 with reference numeral 66 added. The specification has been amended so that the written description is consistent with the drawing references such that the additional objections are believed to be obviated.

Rejections Under 35 USC §102(b)

The Examiner rejected claims 1-3 and 8-10 as being anticipated by Litke et al (US 6,092,917). Applicant respectfully disagrees and traverses the Examiner's rejection.

Litke et al. '917 discloses a dual push-push lamp assembly for an overhead console that selectively operates multiple switches connected to multiple lamps to illuminate a desired area. However, Litke et al. fails to disclose or suggest a number of features of Applicant's claimed invention as claimed in Claims 1-3 and 8-10 and therefore does not anticipate Applicant's invention.

In general, Litke et al. does not disclose a lamp that is movable between a dome lighting position and a reading position as disclosed and claimed by Applicant. More particularly, Litke et al. does not disclose a lamp housing with eccentrically positioned outwardly extending collinear pivot pins that allow the lamp to move between the dome position, which is substantially flush with the bezel plane, and a reading position out of the bezel plane. It appears that lamp housing 16 of Litke et al. is fixed and does not pivot. To the extent that lens 12 is considered part of the housing, the lens has only one operational position, which is the "extended" position substantially flush with the bezel. As described in Col. 3, ll. 39-47:

"Each lens end 54, 56 is adjacent and substantially flush with side wall 58, 60, respectively, of the overhead console housing 14 except when the lens end 54, 56 is depressed by a user to operate the switch 24. The switches 24 are conventional push-push switches which have an outwardly spring biased actuators 52 which are resiliently retractable upon pushing inwardly. Thus, the spring bias of the actuators 52 return the lens to its at rest position after the lenses have been pushed to actuate the switches."

If the Litke et al. reference is interpreted to disclose a "retracted" or dome position when the user pushes the switch, then the retracted position is not substantially flush with the bezel as claimed by Applicant. To the extent that the lamp of Litke et al. operates while the user is holding the lens against the spring bias in the "retracted" position, Litke et al. does not disclose this as a "reading position" with the at rest position a "dome position" as disclosed and claimed by Applicant.

Litke et al. does not disclose a retainer for rotatably securing the lamp housing to the bezel so that the lamp housing can rotate about an axis generally normal to the bezel as disclosed and claimed by Applicant and represented by arrow 46 of Figures 2 and 4 of Applicants disclosure.

With respect to Claim 2, Litke et al. does not disclose a manually operated switch that controls illumination of the lamp when the lamp housing is in the retracted position. As described above, the lamp disclosed by Litke et al. must be held in the "retracted" position. As such, switches 24 are push-push switches

and operate when the lamp is moved between the "extended" and "retracted" positions. As such, switches, are inoperable when the lamp is held in the "retracted" position. In contrast, as illustrated and described with reference to Figures 2-4 of Applicant's disclosure, the console lamp is operable by switch 40, 40' when in the retracted, dome position.

With respect to Claim 3, the lamp of Litke et al. is substantially flush with the outer surface of the overhead console 14 "except for the time in which the switches 24 are operatively depressed" (Col. 4, ll. 13-17), i.e. the lamp is substantially flush in the "extended" or normal position as described by Litke et al. and not in the "retracted" position as disclosed and claimed by Applicant.

With respect to Claim 8, as described above, the lamp disclosed by Litke et al. must be held by the user in the retracted position. There is no rotatable retainer and no latching mechanism that holds the lamp in the retracted position as disclosed and claimed by Applicant. "Upon the person releasing pressure on the push surface 36 of the lens 12, the lens 12 returns to its normal position substantially flush at the respective lens end 54, 56 with the respective side wall 58, 60 of the overhead console 14 as a result of the natural bias of the switch actuators." (Col. 3, l.67 – Col. 4, l. 4) As such, Litke et al. actually discloses a mechanism that prevents the lamp from remaining in the retracted position rather than a latching mechanism as disclosed and claimed by Applicant that holds the lamp in the retracted position.

For the reasons above, Applicant respectfully submits that Litke et al. fails to anticipate Applicant's invention as claimed in Claims 1-3 and 8-10 and that the rejection under 35 USC §102(b) should be withdrawn.

Rejections Under 35 USC §103(a)

The Examiner rejected claims 4 and 5 as being unpatentable over Litke et al in view of Clayton (US 2,996,608) and claims 17, 19, and 20 as being unpatentable over Litke et al. in view of Suman et al. (US 5,070,434). Applicant respectfully disagrees and traverses the Examiner's rejection.

As described above and incorporated here by reference, the primary reference (Litke et al.) relied on by the Examiner fails to disclose a number of features of Applicant's claimed invention. The features described above that are

not disclosed in Litke et al. are not found in either of the secondary references relied on by the Examiner. As such, even if the proposed combinations are proper, the references taken as a whole fail to disclose or suggest each feature of Applicant's claimed invention.

With respect to claim 4, Clayton discloses ribs, not a dimple, which are used to facilitate rotation of the lens, not to move between "retracted" and "extended" positions as disclosed and claimed by Applicants.

With respect to claim 17, Suman et al. does not disclose or suggest a lamp housing substantially flush with the housing in the retracted position. As described above, Litke et al. also fails to disclose a lamp that is substantially flush in the retracted position. Similarly, neither reference discloses that the lamp is rotatable within the first plane about a second axis as disclosed and claimed by Applicant. As such, Applicant believes claim 17 distinguishes over the prior art and is patentable as originally filed. However, Applicant has amended claim 17 incorporating the limitation of Claim 18 that the Examiner indicated were allowable to more particularly point out the invention and advance prosecution of the application. Claims 19 and 20 depend from claim 17 and are also believed to be patentable.

For the reasons above, Applicant respectfully submits that the prior art relied upon by the Examiner taken alone or in combination fails to teach or suggest all the features of Applicant's claimed invention and requests that the rejections under 35 USC §103(a) of Claims 4, 5, 17, 19, and 20 be withdrawn.

Summary

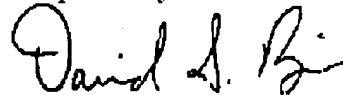
Applicants have made a genuine effort to respond to the Examiner's objections and rejections to advance prosecution of this application. Applicants respectfully submit that all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested.

No additional fee is believed to be due as a result of filing this Amendment.

However, please charge any fees to Deposit Account 50-2438 (Lear Corporation).

The Examiner is requested to telephone the undersigned to discuss resolution of any remaining issues as necessary to place this case in condition for allowance.

Respectfully submitted:



David S. Bir

Reg. No. 38,383

Attorney of Record

Enclosure: Revised Figure 4

February 24, 2006

Bir Law, PLC
45094 Middlebury Ct.
Canton, MI 48188-3215

Telephone: 734-981-5646